

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X  
LOCAL 348 HEALTH & WELFARE FUND, by its  
Trustees ANTHONY FAZIO, JOSE MERCED, MARTIN  
GRINGER, and ISIDORE HANDLER;  
LOCAL 348 PENSION FUND, by its Trustees, JOHN  
FAZIO AND ISIDORE HANDLER, and  
LOCAL 348-S, UNITED FOOD & COMMERCIAL  
WORKERS UNION, AFL-CIO,

Plaintiffs,

-against-

MILMAR FOOD GROUP, LLC and MARTIN  
HOFFMAN,

Defendants.  
----- X

05-CV-3459 (ARR)(JMA)

NOT FOR  
ELECTRONIC OR PRINT  
PUBLICATION

ORDER

ROSS, United States District Judge:

I have received the Report and Recommendation on the instant case, dated March 24, 2006, from the Honorable Joan M. Azrack, U.S. Magistrate Judge. No objections have been filed. Having conducted a de novo review of the record, I hereby adopt the Amended Report and Recommendation as the opinion of the court pursuant to 28 U.S.C. § 636(b)(1).

Accordingly, plaintiff's motion for default judgment is granted. The court orders that judgment be entered against the defendants, jointly and severally, in the amount of \$301,215.87. This total amount reflects \$216,960.00 in unpaid contributions, \$24,600.62 in interest, \$43,392.00 in liquidated damages, and \$16,263.25 in attorney's fees.

Plaintiff's request for injunctive relief is denied.

SO ORDERED.

ARR

\_\_\_\_\_  
Allyne R. Ross  
United States District Judge

Dated: April 17, 2006  
Brooklyn, New York

**SERVICE LIST:**

**Plaintiffs' Attorney**

J. Warren Mangan  
O'Connor & Mangan, P.C.  
271 North Avenue  
Suite 610  
New Rochelle, NY 10801

**Defendants**

Milmar Food Group, LLC  
6½ Station Road, Building 1  
Goshen, New York 10924

Martin Hoffman, President  
Milmar Food Group, LLC  
6½ Station Road, Building 1  
Goshen, New York 10924

cc: Magistrate Judge Joan M. Azrack